

33 CFR Part 155

Hazardous substances, Oil pollution, Reporting and recordkeeping requirements.

For the reasons set out in the preamble, the Coast Guard amends 33 CFR parts 154 and 155 as follows:

**PART 154—FACILITIES
TRANSFERRING OIL OR HAZARDOUS
MATERIAL IN BULK**

1. The authority citation for part 154 continues to read as follows:

Authority: 33 U.S.C. 1231, 1321(j)(1)(C); sec. 2, E.O. 11735, 38 FR 21243, 3 CFR, 1971-1975 Comp., p. 793; 49 CFR 1.46.

2. In § 154.310, paragraph (a)(22) is added to read as follows:

§ 154.310 Operations manual: Contents.

(a) * * *

(22) Statements explaining that each hazardous materials transfer hose is marked with either the name of each product which may be transferred through the hose or with letters, numbers or other symbols representing all such products and the location in the operations manual where a chart or list of the symbols used and a list of the compatible products which may be transferred through the hose can be found for consultation before each transfer.

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3. In § 154.500, paragraphs (e) and (f) are revised to read as follows:

§ 154.500 Hose assemblies.

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(e) Each hose must be marked with one of the following:

- (1) The name of each product for which the hose may be used; or
- (2) For oil products, the words "OIL SERVICE"; or

(3) For hazardous materials, the words "HAZMAT SERVICE—SEE LIST" followed immediately by a letter, number or other symbol that corresponds to a list or chart contained in the facility's operations manual or the vessel's transfer procedure documents which identifies the products that may be transferred through a hose bearing that symbol.

(f) Each hose also must be marked with the following, except that the information required by paragraphs (f)(2) and (3) of this section need not be marked on the hose if it is recorded in the hose records of the vessel or facility, and the hose is marked to identify it with that information:

- (1) Maximum allowable working pressure;
- (2) Date of manufacture; and

(3) Date of the latest test required by § 156.170.

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**PART 155—OIL OR HAZARDOUS
MATERIAL POLLUTION PREVENTION
REGULATIONS FOR VESSELS**

4. The authority citation for part 155 continues to read as follows:

Authority: 33 U.S.C. 1231, 1321(j)(1)(C); sec. 2, E.O. 11735, 38 FR 21243, 3 CFR, 1971-1975 Comp., p. 793; 49 CFR 1.46. Sections 155.100 through 155.130, 155.350 through 155.400, 155.430, 155.440, and 155.470 also issued under 33 U.S.C. 1903(b).

5. In § 155.750 paragraph (a)(11) is added to read as follows:

§ 155.750 Contents of transfer procedures.

(a) * * *

(11) Statements explaining that each hazardous materials transfer hose is marked with either the name of each product which may be transferred through the hose or with letters, numbers or other symbols representing all such products and the location in the transfer procedures where a chart or list of the symbols used and a list of the compatible products which may be transferred through the hose can be found for consultation before each transfer.

* * * * *

Dated: May 28, 1993.

R.C. North,
Captain, U.S. Coast Guard, Acting Chief,
Office of Marine Safety, Security and
Environmental Protection.

[FR Doc. 93-17723 Filed 7-23-93; 8:45 am]

BILLING CODE 4910-14-M

33 CFR Part 165

**COTP Los Angeles/Long Beach, CA
Regulation 93-05; Safety Zone
Regulations: Los Angeles/Long Beach
Harbor, California**

AGENCY: Coast Guard, DOT.

ACTION: Temporary final rule.

SUMMARY: The Coast Guard is establishing a safety zone at the Commodore Schuyler Heim Bridge (Heim Bridge) between Terminal Island and Wilmington, California to protect divers, workers and equipment installing underwater cable at the bridge. The zone encompasses the water areas within 100 feet both upstream and downstream of the bridge inside Cerritos Channel in Los Angeles/Long Beach Harbor. Vessels are prohibited from entering the safety zone without permission of the Coast Guard Captain of the Port.

EFFECTIVE DATES: The Safety Zone is in effect from 6 a.m. to 6 p.m. daily from August 9, 1993 to August 13, 1993.

FOR FURTHER INFORMATION CONTACT: Lieutenant (Junior Grade) Kelly Johnson, Marine Safety Office Los Angeles/Long Beach at (310) 980-4455.

SUPPLEMENTARY INFORMATION: In accordance with 5 U.S.C. 553, a notice of proposed rulemaking was not published for this regulation and a good cause exists for making it effective less than 30 days after Federal Register publication. Publishing an NPRM and delaying its effective date would be contrary to the public interest since immediate action is needed to prevent injury to divers and workmen or damage to equipment.

Drafting Information

The drafters of this regulation are Susan Worden, Bridge Administrator, Eleventh Coast Guard District, and LCDR Craig Juckniess, project attorney, Eleventh District Coast Guard Legal Office.

Discussion of the Regulation

The circumstance requiring this regulation is the use of divers to entrench a submarine cable under Cerritos Channel in Los Angeles/Long Beach Harbor. The California Department of Transportation is replacing an underwater control cable at the Heim Bridge in Long Beach, California. There will be a series of diving operations to survey, mark and entrench the cable. There also will be underwater work at the piers to bring the cable into the bridge. The underwater work will be done during the period from August 9, 1993 through August 13, 1993. A safety zone is needed to protect divers and workers from injury.

The cable replacement project also will prevent the bridge from operating during the period from August 2, 1993 through August 20, 1993. Under a separate drawbridge operating regulation the Coast Guard is establishing a temporary drawbridge regulation to authorize the bridge to remain in the closed to navigation position during that period.

List of Subjects in 33 CFR Part 165

Harbors, Marine safety, Navigation (water), Security measures, Vessels, Waterways.

Regulation

In consideration of the foregoing, subpart C of part 165 of title 33, Code of Federal Regulations, is amended as follows:

PART 165—[AMENDED]

1. The authority citation for part 165 continues to read as follows:

Authority: 33 U.S.C. 1231; 50 U.S.C. 191; 49 CFR 1.46 and 33 CFR 1.05-1(g), 6.04-1, 6.04-6, and 160.5.

2. A new § 165.T1105 is added to read as follows:

§ 165.T1105 Safety Zone: Helm Bridge, Cerritos Channel Long Beach, California.

(a) **Location.** The following area is established as a temporary safety zone: The water area of Cerritos Channel between Terminal Island and Wilmington within 100 feet east of the Ford Bridge and 100 feet west of the Commodore Schuyler Heim Bridge.

(b) **Effective date.** This safety zone is effective daily between 6 a.m. and 6 p.m. from August 9, 1993 through August 13, 1993.

(c) **Regulations.** In accordance with the general regulations in § 165.23 of this part, entry into this zone is prohibited unless authorized by the Captain of the Port.

Dated: July 9, 1993.

J.B. Morris,

Captain, U.S. Coast Guard, Captain of the Port, Los Angeles/Long Beach, California.

[FR Doc. 93-17722 Filed 7-23-93; 8:45 am]

BILLING CODE 4910-14-M

33 CFR Part 165

RIN 2115-AA97

Copt St. Louis Regulation 93-27; Safety Zone Regulations; Upper Mississippi River Basin

AGENCY: Coast Guard, DOT.

ACTION: Temporary final rule.

SUMMARY: The Coast Guard is establishing a safety zone on the Osage River. These regulations are needed to control vessel traffic in the regulated area to prevent further wake damage to levees and property along the river. The regulations will restrict general navigation in the regulated areas for the safety of vessel traffic and the protection of life and property along the river.

EFFECTIVE DATES: This regulation is effective on July 14, 1993 and will terminate on August 15, 1993.

FOR FURTHER INFORMATION CONTACT: LTJG Paul Barragan, Operations Officer, Captain of the Port, St. Louis, Missouri at (314) 539-3823.

SUPPLEMENTARY INFORMATION:

Drafting Information

The drafters of these regulations are LTJG Paul Barragan, Project Officer,

Marine Safety Office, St. Louis, Missouri and LCDR A. O. Denny, Project Attorney, Second Coast Guard District Legal Office.

Regulatory History

In accordance with 5 U.S.C. 553, a notice of proposed rulemaking has not been published for this regulation and good cause exists for making it effective in less than 30 days from the date of publication. Following normal rulemaking procedures would have been impracticable. Specifically, the recent rainfall in the Upper Mississippi drainage area has caused unanticipated flood conditions on the Osage River leaving insufficient time to publish a notice of proposed rulemaking. The Coast Guard deems it to be in the public's best interest to issue a regulation without waiting for a comment period since the flood conditions are presenting immediate hazards.

Background and Purpose

The Upper Mississippi River and its tributaries have been suffering from high water conditions for 105 days. This has contributed to unusually wet conditions along the river with the resultant softening of the earth levees which protect the adjacent lowlands. Although the water levels in the river had fallen below flood stage during late June 1993, the levees had not had the opportunity to dry out before the recent rainfall over the midwest pushed the rivers back above the flood stage. As a result, the waters of the Osage River have overflowed its banks and some levees in the area have failed. The Army Corps of Engineers has reported that additional levees will erode, presenting an imminent danger to ongoing flood relief efforts and to life and property along the river, if they are subjected to the wake damage from passing vessels.

The present flood conditions also present a hazard to navigation in that the area's rivers are filled with a mass of trees and other debris which have been washed from the river banks and the inundated lowlands, once visible obstructions to navigation are now submerged, river currents are not following normal patterns, and insufficient clearances exist for vessels to pass under certain bridges. Taken as a whole, these conditions present hazards which greatly hinder the safe navigation of recreational and commercial traffic.

Given expected rainfall patterns, the rivers are not expected to crest until on or after July 15, 1993. The Army Corps of Engineers anticipates that the Mississippi River will crest at 45 feet—

this is 15 feet above flood stage and may establish a record for flood waters in the area—and that it may take another four weeks for the waters to recede to normal levels.

Regulatory Evaluation

This regulation is not major under Executive Order 12291 and not significant under Department of Transportation Regulatory Policies and Procedures (44 FR 11040; February 26, 1979), it will not have a significant economic impact on a substantial number of small entities, and it contains no collection of information requirements. A full regulatory analysis is unnecessary because the Coast Guard expects the impact of this regulation to be minimal when compared to the overriding nature of the damage which the flood conditions on the western rivers has caused and is expected to produce. To avoid any unnecessary adverse economic impact on businesses which use the river for commercial purposes, Captain of the Port, St. Louis, Missouri will monitor river conditions and will terminate the safety zones for specific areas as river conditions allow.

Federalism Assessment

Under the principles and criteria of Executive Order 12612, this regulation does not raise sufficient federalism implications to warrant the preparation of a Federalism Assessment.

Environmental Assessment

The Coast Guard considered the environmental impact of this proposal and concluded that preparation of an environmental impact statement is not necessary because the regulation is categorically excluded from further environmental documentation. The regulation serves to avoid further damage to the environment beyond that which will result from naturally occurring flood conditions. A Categorical Exclusion Determination has been prepared and placed in the rulemaking docket.

List of Subjects in 33 CFR Part 165

Harbors, Marine safety, Navigation (water), Security measures, Vessels, Waterways.

Temporary Regulation

In consideration of the foregoing, subpart C of part 165 of title 33, Code of Federal Regulations, is amended as follows:

PART 165—[AMENDED]

1. The authority citation for part 165 continues to read as follows:

Authority: 33 U.S.C. 1231; 50 U.S.C. 191; 49 CFR 1.46 and 33 CFR 1.05-1(g), 6.04-1, 6.04-6, and 160.5.

2. A temporary § 165.T0254 is added, to read as follows:

§ 165.T0254 Safety Zone: Upper Mississippi River Basin.

(a) *Location.* The Osage River between mile 0 and mile 20 is established as a safety zone.

(b) *Effective Dates.* This section becomes effective on July 14, 1993 and will terminate on August 15, 1993.

(c) *Regulations.* The general regulations under § 165.23 of this part which prohibit entry into the described zone without authority of the Captain of the Port apply.

(d) The Captain of the Port, St. Louis, Missouri will notify the maritime community of river conditions affecting the areas covered by these safety zones by Marine Safety Information Radio Broadcast on VHF Marine Band Radio, Channel 22 (157.1 MHz).

Dated: July 14, 1993.

Scott P. Cooper,

Commander, U.S. Coast Guard, Captain of the Port, St. Louis, Missouri.

[FR Doc. 93-17721 Filed 7-23-93; 8:45 am]

BILLING CODE 4810-14-M

DEPARTMENT OF VETERANS AFFAIRS

38 CFR Part 4

Total Disability Ratings for Compensation

AGENCY: Department of Veterans Affairs.
ACTION: Correcting amendment.

SUMMARY: This document contains a correction to the regulations of the Department of Veterans Affairs (VA) that govern the assignment of total disability ratings for compensation based upon individual unemployability. This correction is required in order to delete an erroneously duplicated sentence from the regulation. No substantive change to the content of 38 CFR Part 4 is being made by this correcting amendment.

EFFECTIVE DATE: This correcting amendment is effective July 26, 1993.

FOR FURTHER INFORMATION CONTACT: John Bisset, Jr., Consultant, Regulations Staff, Compensation and Pension Service, Veterans Benefits Administration, Department of Veterans Affairs, 810 Vermont Avenue, NW., Washington, DC 20420, (202) 233-3005.

SUPPLEMENTARY INFORMATION: The regulations that appear at 38 CFR 4.16(a)

establish the criteria for the assignment of total disability ratings for compensation benefits based upon individual unemployability. Due to VA error, the third sentence of § 4.16(a) is printed twice. This document corrects that error.

List of Subjects in 38 CFR Part 4

Handicapped, Pensions, Veterans.

For the reasons set out in the preamble, 38 CFR part 4, subpart A, is amended as set forth below:

PART 4—SCHEDULE FOR RATING DISABILITIES

Subpart A—General Policy in Rating

1. The authority citation for part 4 continues to read as follows:

Authority: 72 Stat. 1125; 38 U.S.C. 1155, unless otherwise noted.

§ 4.16 [Corrected]

2. In § 4.16(a), remove the words "It is provided further that the existence or degree of nonservice-connected disabilities or previous unemployability status will be disregarded when the percentages referred to in this paragraph for the service-connected disability or disabilities are met and in the judgment of the rating agency such service-connected disabilities render the veteran unemployable." the second time that they appear.

Approved July 19, 1993.

B. Michael Berger,

Director, Records Management Service.

[FR Doc. 93-17677 Filed 7-23-93; 8:45 am]

BILLING CODE 8320-01-U

GENERAL SERVICES ADMINISTRATION

41 CFR Part 101-41

[FPMR Temp. Reg. G-57]

Use of Cash for Official Travel

AGENCY: Federal Supply Service, GSA.
ACTION: Temporary regulation.

SUMMARY: This regulation amends the Federal Property Management Regulations (FPMR) to grant agency heads or their designated representatives authority to approve all cash purchases of transportation services exceeding \$100. Currently, agency heads or their designated representatives may authorize the use of cash exceeding \$100 only for the purchase of emergency transportation services. This revision will eliminate the requirement for agencies to request a written exemption from the General

Services Administration (GSA) for cash purchases of nonemergency transportation services exceeding the \$100 limit.

DATES: Effective date: July 26, 1993.

Expiration date: July 31, 1994.

Comments due on or before:

December 31, 1993.

FOR FURTHER INFORMATION CONTACT: John W. Sandfort, Deputy Director, Regulations and Program Development Division, Office of Transportation Audits (202-219-3164).

SUPPLEMENTARY INFORMATION: The General Service Administration (GSA) has determined that this rule is not a major rule for the purposes of Executive Order 12291 of February 17, 1981, because it is not likely to result in an annual effect on the economy of \$100 million or more; a major increase in costs to consumers or others; or significant adverse effects. Therefore, a regulatory impact analysis has not been prepared. GSA has based all administrative decisions underlying this rule on adequate information concerning the need for and consequences of this rule; has determined that the potential benefits to society from this rule outweigh the potential costs and has maximized the net benefits; and has chosen the alternative approach involving the least net cost to society.

Pursuant to the provisions of section 3 of the Regulatory Flexibility Act (5 U.S.C. 605(b)), GSA has also determined that this rule will not have a significant economic impact on a substantial number of small entities. Therefore, no regulatory flexibility analysis has been prepared.

The reporting forms required by this regulation are not subject to the provisions of Public Law 96-511, the Paperwork Reduction Act of 1980, and Subpart 201-45.6 of this title.

List of Subjects in 41 CFR Part 101-41

Accounting, Air carriers, Claims, Maritime carriers, Passenger services, Railroads, Transportation.

Accordingly, under the authority of 31 U.S.C. 3726 and 40 U.S.C. 486(c), in 41 CFR chapter 101, the following temporary regulation is added to the appendix at the end of Subchapter G to read as follows:

Federal Property Management Regulations Temporary Regulation G-57

To: Heads of Federal agencies
Subject: Use of cash for official travel

1. *Purpose.* This regulation grants agency heads or their designated representatives the authority to approve all cash purchases of passenger transportation services costing more than \$100.

2. **Effective date.** This regulation is effective on July 26, 1993.

3. **Expiration date.** This regulation expires on July 31, 1994, unless sooner superseded or canceled.

4. **Applicability.** This regulation applies to all Government agencies that are subject to the audit authority of GSA under 31 U.S.C. 3726.

5. **Background.** FPMR Amendment G-43, July 6, 1977, transmitted Part 101-41 to establish the policy and procedures governing the documentation and audit of payments for domestic and foreign freight and passenger transportation services furnished for the account of the United States. Section 101-41.203 pertains to the procurement of passenger transportation services. The Government transportation request (GTR), Government contractor-issued charge card, and Government travel system (GTS) account are the preferred means for procuring such services; however, agencies have the option of requiring travelers to use cash where the passenger transportation services cost more than \$10 but do not exceed \$100 for each authorized trip. Agencies also have the authority to approve emergency cash payments exceeding the \$100 limit but must request a written exemption from GSA for nonemergency cash payments exceeding the limit. This revision will allow agency heads to: (1) specify which device (GTR, Government contractor-issued charge card, GTS account or combination thereof) travelers will use to procure transportation services; and (2) approve all cash purchases of passenger transportation services without obtaining an exemption from GSA.

6. **Agency comments.** Comments concerning this regulation should be submitted to the General Services Administration, Policy, Procedures and Liaison Branch (FWPA), Washington, DC 20405, no later than December 31, 1993, for consideration and possible incorporation in a permanent rule.

7. **Revised policy.**

a. Section 101-41.203-1 is amended by revising paragraph (a) to read as follows:

§101.41.203-1 Procurement from carriers.

(a) All passenger transportation services should be procured with a GTR, GSA contractor-issued charge card, or Government travel system account unless otherwise provided herein. Agency heads or their designees may specify which of these Government-provided methods of payment, or combination thereof, travelers will use to procure official passenger transportation services. Such services, regardless of the procurement method specified by the agency, must be procured directly from either a carrier or a travel agent. Travel agencies may be used only as prescribed by GSA's Federal Travel Regulation (FTR), 41 CFR chapters 301 through 304 or applicable regulations of the Department of Defense (DOD).

b. Section 101-41.203-2 is revised to read as follows:

§101-41.203-2 Use of cash.

(a) Cash shall be used to procure all passenger transportation services costing \$10 or less, exclusive of Federal transportation tax, and to pay air excess baggage charges of \$15 or less for each leg of a trip (see § 101-41.203-6), unless special circumstances justify the use of a GTR or Government excess baggage authorization/ticket. Agencies have the option of requiring travelers to use either cash or GTR's, Government travel system (GTS) accounts, or contractor-issued Government employee charge cards to procure transportation services costing more than \$10, but do not exceed \$100, exclusive of Federal transportation tax, for each trip authorized on an official travel authorization. In making any such determination, agencies should consider the availability of airline city-pair contract fares available only through the use of GTR's, GTS accounts, or contractor-issued Government employee charge cards. Only GTR's, GTS accounts, or contractor-issued Government employee charge cards should be used to procure passenger transportation services costing more than \$100, excluding Federal transportation tax, unless otherwise exempted in this subpart.

(1) Any approval of the use of cash in excess of \$100 should be obtained prior to travel. In the absence of advance written authorization or approval, passenger transportation services shall be purchased in accordance with policies and procedures prescribed in applicable Government travel regulations. It is a traveler's responsibility to be aware that the use of a GTR, contractor-issued charge card, or GTS account may be required to obtain certain discount fares and to comply with the mandatory provisions of the Federal Travel Regulation (FTR) governing the use of contract airline service between designated city-pairs. Cash shall not be used to circumvent the regulations governing airline city-pair contracts.

(2) If requiring the use of personal funds to purchase the services set forth in paragraph (a) of this section would impose a financial hardship on a traveler, the agency should authorize an advance of funds in accordance with provisions of the FTR (41 CFR 301-10.3).

(3) Use of a credit card, other than the GSA contractor-issued Government employee charge card, and all travelers checks shall be considered the equivalent of cash and subject to the \$100 limitation provided in paragraph (a) of this section.

(4) Passenger transportation services procured in accordance with the group or charter provisions of the FTR (41 CFR 301-3.4(2)) are not subject to the provisions of this subpart.

(b) Cash purchases of transportation services in excess of \$100 in nonemergency circumstances shall be discouraged and each agency shall establish procedures to encourage Federal travelers to use a Government charge card, GTS account, or GTR instead of cash to purchase passenger transportation services. Agencies shall monitor and control cash purchases of transportation services in a manner that will ensure such purchases are kept to a minimum.

(1) In those limited instances where a Federal traveler has failed to use a GTR, GTS account, or contractor-issued Government employee charge card, heads of agencies, or their designated representatives, may authorize travelers to exceed the \$100 limitation when procuring passenger transportation services. Each agency shall establish guidelines for approval of cash purchases in excess of \$100 with consideration given to whether the purchase resulted directly from: (i) emergency circumstances (where the use of a GTR, GTS account, or contractor-issued Government employee charge card was not possible); or (ii) agency failure to advise new employees or invited or infrequent travelers of the proper procedures for purchasing transportation services. Should a Federal employee make repeated cash purchases without just cause or deliberately attempt to circumvent use of GSA contract air or rail service for personal convenience or some other reason not consistent with sound travel management practices, the agency may send all documents related to the travel to the Comptroller General, General Accounting Office, Claims Section, Washington, DC 20548, for a decision on the traveler's right to reimbursement as provided in 31 U.S.C. 3702.

(2) Delegation of authority for authorizing and approving the use of cash in excess of \$100 for the procurement of transportation services shall be held to as high an administrative level as practicable to ensure adequate consideration and review of the circumstances. These delegations of authority shall be made in writing and copies retained to permit monitoring of the system. These records of delegations of authority shall be available for examination by GSA auditors.

(3) To justify the use of cash in excess of \$100 instead of a Government-provided method of payment when procuring passenger transportation services, both the agency head, or the designated representative, and the traveler shall certify on the travel voucher the reasons for such use.

(4) After a traveler has been reimbursed for a cash purchase, copies of travel authorizations, ticket coupons, and any ticket refund applications, or SF's 1170, Redemption of Unused Tickets, shall be forwarded for audit to the General Services Administration, Transportation Audit Division (FWA), Attention: Code E, Washington, DC 20405.

(5) Travel vouchers shall be maintained in the agency to be available for site audit by GSA auditors. General Records Schedule 9, Travel and Transportation Records (see 36 CFR Chapter XXII, § 1228.22), provides instructions for the disposal of travel vouchers.

(c) Suspected travel management errors and/or misroutings which result in higher travel costs to the Government will be reported by GSA (FWP) to the appropriate military or civilian agency travel manager for appropriate action.

(d) Travelers using cash to purchase individual passenger transportation services shall procure such services directly from carriers or from travel agents under GSA or

DOD contract (see § 101-41.203-1), and shall account for those expenses on their travel vouchers, furnishing passenger coupons or other evidence as appropriate in support thereof. Moreover, travelers shall assign to the Government the right to recover any excess payments involving carriers' use of improper rates. That assignment must be preprinted or otherwise annotated on the travel voucher and shall be initialed by the traveler.

(e) Travelers using cash to procure passenger transportation services shall be made aware by their employing agencies of the provisions of § 101.41.209-4 concerning a carrier's liability for liquidated damages because of failure to provide confirmed reserved space. Also, travelers using cash shall adhere to the regulations of the General Accounting Office (4 CFR 52.2) regarding the use of U.S.-flag vessels and air carriers (see § 101-41.203-1(b)).

8. *Effect on other directives.* This regulation supersedes the provisions of § 101-41.203-2.

Dated: May 18, 1993.

Dennis J. Fischer,
Acting Administrator.

[FR Doc. 93-17618 Filed 7-23-93; 8:45 am]
BILLING CODE 6820-24-M

41 CFR Part 101-44

[FPMR Amendment H-187]

Donation of Federal Surplus Personal Property to Providers of Assistance to Homeless Individuals

AGENCY: Federal Supply Service, GSA.
ACTION: Final rule.

SUMMARY: This regulation relaxes the current use requirement placed on donations of personal property to nonprofit providers of assistance to homeless individuals. It removes the requirement for donated property to be used exclusively for the program operated to assist homeless individuals and allows such property to be used primarily for the donee's program for assistance to the homeless.

EFFECTIVE DATE: July 26, 1993.

FOR FURTHER INFORMATION CONTACT: Lester D. Gray, Jr., Director, Property Management Division (703-305-7240).

SUPPLEMENTARY INFORMATION: The General Services Administration (GSA) has determined that this rule is not a major rule for the purposes of Executive Order 12291 of February 17, 1981, because it is not likely to result in an annual effect on the economy of \$100 million or more; a major increase in costs to consumers or others; or significant adverse effects. GSA has been all administrative decisions underlying this rule on adequate information concerning the need for,

and consequences of, this rule; has determined that the potential benefits to society from this rule outweigh the potential costs and has maximized the net benefits; and has chosen the alternative approach involving the least net cost to society.

Regulatory Flexibility Act

The final rule is not required to be published in the *Federal Register* for notice and comment. Therefore, the Regulatory Flexibility Act does not apply.

List of Subjects in 41 CFR Part 101-44

Government property management,
Surplus Government property.

For the reasons set forth in the preamble, 41 CFR part 101-44 is amended as follows:

PART 101-44—DONATION OF PERSONAL PROPERTY

1. The authority citation for part 101-44 continues to read as follows:

Authority: Sec. 205(c), 63 Stat. 390; 40 U.S.C. 486(c).

Subpart 101-44.2—Donations to Public Agencies and Eligible Nonprofit Tax-Exempt Activities

2. Section 101-44.207 is amended by revising paragraph (a)(18.1) to read as follows:

§ 101-44.207 Eligibility.

* * * * *

(a) * * *

(18.1) *Provider of assistance to homeless individuals* means a public agency or a nonprofit, tax-exempt institution or organization that operates a program which provides assistance such as food, shelter, or other services to homeless individuals, as defined in paragraph (a)(12.1) of this section. Property acquired through the donation program by such institutions or organizations must be used primarily for the program(s) operated to assist homeless individuals.

* * * * *

Dated: May 25, 1993.

Dennis J. Fischer,
Acting Administrator of General Services.
[FR Doc. 93-17616 Filed 7-23-93; 8:45 am]
BILLING CODE 6820-24-M

FEDERAL EMERGENCY MANAGEMENT AGENCY

44 CFR Part 64

[Docket No. FEMA-7578]

List of Communities Eligible for the Sale of Flood Insurance

AGENCY: Federal Insurance Administration, FEMA.

ACTION: Final rule.

SUMMARY: This rule identifies communities participating in the National Flood Insurance Program (NFIP). These communities have applied to the program and have agreed to enact certain floodplain management measures. The communities' participation in the program authorizes the sale of flood insurance to owners of property located in the communities listed.

EFFECTIVE DATES: The dates listed in the third column of the table.

ADDRESSES: Flood insurance policies for property located in the communities listed can be obtained from any licensed property insurance agent or broker serving the eligible community, or from the NFIP at: Post Office Box 457, Lanham, MD 20706, (800) 638-7418.

FOR FURTHER INFORMATION CONTACT: James Ross MacKay, Acting Assistant Administrator, Office of Loss Reduction, Federal Insurance Administration, 500 C Street, SW., room 417, Washington, DC 20472, (202) 646-2717.

SUPPLEMENTARY INFORMATION: The NFIP enables property owners to purchase flood insurance which is generally not otherwise available. In return, communities agree to adopt and administer local floodplain management aimed at protecting lives and new construction from future flooding. Since the communities on the attached list have recently entered the NFIP, subsidized flood insurance is now available for property in the community.

In addition, the Director of the Federal Emergency Management Agency has identified the special flood hazard areas in some of these communities by publishing a Flood Hazard Boundary Map (FHBM) or Flood Insurance Rate Map (FIRM). The date of the flood map, if one has been published, is indicated in the fourth column of the table. In the communities listed where a flood map has been published, section 102 of the Flood Disaster Protection Act of 1973, as amended, 42 U.S.C. 4012(a), requires the purchase of flood insurance as a condition of Federal or federally related financial assistance for acquisition or

construction of buildings in the special flood hazard areas shown on the map.

The Director finds that the delayed effective dates would be contrary to the public interest. The Director also finds that notice and public procedure under 5 U.S.C. 553(b) are impracticable and unnecessary.

National Environmental Policy Act

This rule is categorically excluded from the requirements of 44 CFR Part 10, Environmental Consideration. No environmental impact assessment has been prepared.

Regulatory Flexibility Act

The Federal Insurance Administrator certifies that this rule will not have a significant economic impact on a substantial number of small entities in accordance with the Regulatory Flexibility Act, 5 U.S.C. 601 *et seq.*, because the rule creates no additional

burden, but lists those communities eligible for the sale of flood insurance.

Regulatory Impact Analysis

This rule is not a major rule under Executive Order 11291, Federal Regulation, February 17, 1981, 3 CFR, 1981 Comp., p. 127. No regulatory impact analysis has been prepared.

Paperwork Reduction Act

This rule does not involve any collection of information for purposes of the Paperwork Reduction Act, 44 U.S.C. 3501 *et seq.*

Executive Order 12612, Federalism

This rule involves no policies that have federalism implications under Executive Order 12612, Federalism, October 26, 1987, 3 CFR, 1987 Comp., p. 252.

Executive Order 12778, Civil Justice Reform

This rule meets the applicable standards of section 2(b)(2) of Executive Order 12778, October 25, 1991, 56 FR 55195, 3 CFR, 1991 Comp., p. 309.

List of Subjects in 44 CFR Part 64

Flood insurance, Floodplains.

Accordingly, 44 CFR part 64 is amended as follows:

PART 64—[AMENDED]

1. The authority citation for part 64 continues to read as follows:

Authority: 42 U.S.C. 4001 *et seq.*, Reorganization Plan No. 3 of 1978, 3 CFR, 1978 Comp., p. 329; E.O. 12127 44 FR 19367, 3 CFR, 1979 Comp., p. 376.

§ 64.6 [Amended]

2. The tables published under the authority of § 64.6 are amended as follows:

State and location	Community No.	Effective date of authorization/cancellation of sale of flood insurance in community	Current effective map date
New Eligibles—Emergency Program			
Nebraska: Custer County, unincorporated areas	310428	June 3, 1993	Mar. 14, 1978.
Michigan:			
Ingallston, township of Menominee County	260660	June 9, 1993	Do.
Lake, township of Menominee County	260908	.....do	Do.
Mellen, township of Menominee County	260692	.....do	Do.
Ray, township of Macomb County	260910	.....do	Do.
Roseville, City of Macomb County	260909	.....do	Do.
Illinois: Godfrey, village of Madison County	171031	June 18, 1993	Do.
Missouri: Camden County, unincorporated areas	290789	.....do	Apr. 19, 1983.
Nebraska: Howard County, unincorporated areas	310446	June 21, 1993	Do.
Indiana: Lawrence County, unincorporated areas	180441	June 24, 1993	Sept. 29, 1978.
New Mexico: San Miguel County, unincorporated areas	350132	June 28, 1993	Aug. 16, 1977.
Texas: Presidio, city of Presidio County	481651	.....do	Do.
Oklahoma: Wayne, town of McClain County	400450	June 30, 1993	Do.
New Eligibles—Regular Program			
Vermont: Hartland, town of Windsor County	500149	June 3, 1993	June 15, 1988.
Iowa: Fredonia, city of Louisa County	190308	June 4, 1993	Feb. 6, 1991.
California: Murietta, city of Riverside County ¹	060751	June 9, 1993	Do.
Nebraska: Hamilton County, unincorporated areas	310441	June 21, 1993	Dec. 2, 1992.
Michigan:			
Cedarville, township of Menominee County	260659	June 24, 1993	Nov. 4, 1992.
Northern Mariana Islands, Commonwealth of	750001	June 28, 1993	May 15, 1991.
South Carolina: Awendaw, town of Charleston County ²	450262	.....do	Do.
Reinstatements—Regular Program			
New York:			
Brushton, village of Franklin County	361480	May 23, 1984, Emerg.; Feb. 19, 1986, Reg.; Nov. 4, 1992, Susp.; June 10, 1993, Rein.	Feb. 19, 1986.
Niles, town of Cayuga County	360119	July 21, 1975, Emerg.; Feb. 6, 1984, Reg.; Nov. 4, 1992, Susp.; June 10, 1993, Rein.	Feb. 6, 1984.
Sempronius, town of Cayuga County	360123	Jan. 7, 1976, Emerg.; Nov. 4, 1983, Reg.; Nov. 4, 1992, Susp.; June 10, 1993, Rein.	Nov. 4, 1983.
Illinois: Junction, village of Gallatin County	170245	May 1, 1975, Emerg.; Jan. 5, 1984, Reg.; Dec. 15, 1992, Susp.; June 21, 1993, Rein.	Jan. 5, 1984.
Regular Program Conversions			
Region I			
Maine:			
Abington, town of Plymouth County	250259	June 2, 1993, suspension withdrawn	June 2, 1993.
Middlefield, town of Hampshire County	250166	.....do	Do.
North Andover, town of Essex County	250098	.....do	Do.

State and location	Community No.	Effective date of authorization/cancellation of sale of flood insurance in community	Current effective map date
Pepperell, town of Middlesex County	250210	.....do	Do.
Region II			
New York:			
Bainbridge, village of Chenango County	360158	.....do	Do.
Champion, town of Jefferson County	360328	.....do	Do.
Region I			
New Hampshire: Hampstead, town of Rockingham County.	330211	June 16, 1993, suspension withdrawn	June 16, 1993.
Region II			
New York: Milton, town of Saratoga County	360722	.....do	Do.
Region II			
Pennsylvania:			
Greenwood, township of Crawford County	422390	.....do	Sept. 10, 1984.
Horsham, township of Montgomery County	420700	.....do	June 17, 1991.
Region IV			
Florida Charlotte County, unincorporated areas	120061	.....do	June 16, 1993.
Mississippi: Rankin County, unincorporated areas	280142	.....do	Do.
Region V			
Michigan: Fraser, township of Bay County	260657	.....do	Do.
Region VI			
Texas:			
Austin, city of Travis and Williamson Counties	480624	.....do	Do.
Hays County, unincorporated areas	480321	.....do	Do.
Manor, city of Travis County	481027	.....do	Do.
Travis County, unincorporated areas	481026	.....do	Do.
Region VII			
Missouri: St. Charles County, unincorporated areas ...	290315	.....do	Dec. 15, 1992.
Region IX			
Arizona:			
St. Johns, city of Apache County	040010	.....do	June 16, 1993.

¹ The City of Murrieta has adopted by reference Riverside County's FIRM dated September 30, 1988 (Panel 0225B) and all subsequent amendments and/or revisions.

² The Town of Awendaw has adopted Charleston County's (#455413) Flood Insurance Study and Flood Insurance Rate Map (FIRM) dated November 4, 1992, for flood insurance purposes.

Code for reading fourth column: Emerg.-Emergency; Reg.-Regular; Susp.-Suspension; Rein.-Reinstatement.
(Catalog of Federal Domestic Assistance No. 83.100, "Flood Insurance.")

Issued: July 16, 1993.

Francis V. Reilly,

Deputy Administrator, Federal Insurance Administration.

[FR Doc. 93-17546 Filed 7-23-93; 8:45 am]

BILLING CODE 6718-21-P

44 CFR Part 64

[Docket No. FEMA-7580]

Suspension of Community Eligibility

AGENCY: Federal Insurance Administration, FEMA.

ACTION: Final rule.

SUMMARY: This rule identifies communities, where the sale of flood insurance has been authorized under the National Flood Insurance Program (NFIP), that are suspended on the effective dates listed within this rule because of noncompliance with the floodplain management requirements of the program. If Federal Emergency

Management Agency (FEMA) receives documentation that the community has adopted the required floodplain management measures prior to the effective suspension date given in this rule, the suspension will be withdrawn by publication in the **Federal Register**.

EFFECTIVE DATES: The effective date of each community's suspension is the third date ("Susp.") listed in the third column of the following tables.

ADDRESSES: If you wish to determine whether a particular community was suspended on the suspension date, contact the appropriate FEMA Regional Office or the NFIP servicing contractor.

FOR FURTHER INFORMATION CONTACT: James Ross MacKay, Acting Assistant Administrator, Office of Loss Reduction, Federal Insurance Administration, 500 C Street, SW., room 417, Washington, DC 20472, (202) 646-2717.

SUPPLEMENTARY INFORMATION: The NFIP enables property owners to purchase flood insurance which is generally not

otherwise available. In return, communities agree to adopt and administer local floodplain management aimed at protecting lives and new construction from future flooding. Section 1315 of the National Flood Insurance Act of 1968, as amended, 42 U.S.C. 4022, prohibits flood insurance coverage as authorized under the National Flood Insurance Program, 42 U.S.C. 4001 *et seq.*, unless an appropriate public body adopts adequate floodplain management measures with effective enforcement measures. The communities listed in this document no longer meet that statutory requirement for compliance with program regulations, 44 CFR part 59 *et seq.* Accordingly, the communities will be suspended on the effective date in the fourth column. As of that date, flood insurance will no longer be available in the community. However, some of these communities may adopt and submit the required documentation of legally enforceable floodplain